

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nursing Home Public Information Act of 1997".

SEC. 2. DISSEMINATION OF INFORMATION.

(a) The Secretary shall publicly disseminate, through whatever means the Secretary determines appropriate, information compiled in databases maintained by or available to the Secretary concerning final adverse actions against and quality of care in nursing facilities.

(b) The Secretary shall determine the scope of the information disseminated under this section, but shall include—

(1) the name (and history of name changes), address, phone number, tax identification number, chairman of the board or director, and licensing State or other governmental entity, of each nursing facility involved in a final adverse action;

(2) the basis and sanction or remedy of each final adverse action;

(3) information about quality of care in nursing facilities, including information collected through the standard surveys conducted pursuant to section 1919 of the Social Security Act (42 U.S.C. 1396r); and

(4) any information that would be helpful to consumers purchasing care or services in nursing facilities.

(c) In disseminating information under this section, the Secretary shall ensure that the privacy of individuals receiving, or who have received, care or services in nursing facilities is appropriately protected.

(d) The Secretary shall determine the appropriate format and means to disseminate information under this section, but shall consider—

(2) a toll-free telephone hotline;

(2) a public website; and

(3) a printed manual or pamphlet.

(e) The Secretary shall update the information disseminated under this section not less than monthly.

SEC. 3. DEFINITIONS.

(For purposes of this section—

(1) the term "Secretary" means the Secretary of Health and Human Services;

(2) the term "nursing facility" has the same meaning provided such term in section 1919 of the Social Security Act (42 U.S.C. 1396r);

(3) the term "final adverse action" includes—

(A) civil judgments against a nursing facility in Federal or State court related to fraud, abuse, or improper billing;

(B) Federal or State criminal convictions related to fraud, abuse, or improper billing;

(C) actions by Federal or State agencies responsible for the licensing or certification of nursing facilities, including—

(i) formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure, or probation; or

(ii) any other loss of license or the right to apply for, or renew, a license of the nursing facility, whether by operation of law, voluntary surrender, non-renewability, or otherwise;

(D) exclusion from participation in Federal or State health care programs (as defined in sections 1128B(f) and 1128(h) of the Social Security Act (42 U.S.C. 1320a-7b(f); 1230a-7(h)); and

(E) any other adjudicated actions or decisions that the Secretary shall establish by regulation.

(4) the term "tax identification" has the meaning provided such term in section 7701(a)(41)).

SEC. 4. EFFECTIVE DATE.

This Act shall take effect not more than 2 years after the date of its enactment.

TRIBUTE TO STUYVESANT TOWN AND PETER COOPER VILLAGE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1997

Mrs. MALONEY of New York. Mr. Speaker, I rise in tribute of the 50th anniversary of Stuyvesant Town and Peter Cooper Village, two large apartment complexes in the Borough of Manhattan, in the city of New York. On August 21, 1997, the owners, residents, and neighbors celebrated the 50th anniversary of the historic public-private partnership which created thousands of spacious apartments for reasonable rents.

Stuyvesant Town and Peter Cooper Village deserve honor here today as an outstanding example of private housing developed in the public good. In 1943, Frederick Ecker, chairman of Metropolitan Life Insurance Co., worked with the city government to rebuild a run-down section of New York known as the Gas House District. He committed resources to build a large housing development, in exchange for property tax incentives. All 3,000 families who lived in the area were first rehoused by Metropolitan Life in an extensive and successful relocation program. The first families moved into Stuyvesant Town on August 1, 1947 and by June 1, 1949 all apartments were rented.

Today, Stuyvesant Town and Peter Cooper Village together house 11,000 New York families. The Stuyvesant Town apartment buildings occupy 75 acres and comprise 89 apartment buildings, stretching from East 14th to East 20th Streets and from First Avenue to Avenue C in Manhattan. Peter Cooper Village is located between East 20th and East 23d Streets and also from First Avenue to Avenue C. The complexes have their own security force, supervised play and sports for children, a senior's lounge, annual flea market, holiday celebrations, among other amenities. A very unique quality of these complexes is their park-like setting—between the many buildings are trees, flowers, grass, and a centrally located fountain to give respite from the stresses of city life, just steps away outside the complex.

I ask my colleagues to join me in honor of the historic partnership which has housed thousands of families, generation after generation, for 50 highly successful years. Congratulations to the residents of Stuyvesant Town and Peter Cooper Village and to all at Metropolitan Life Insurance Co. who have contributed to the ongoing success of these historic apartment buildings.

TRIBUTE TO SELECTMAN JOSEPH R. LEFEBVRE, JR.

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1997

Mr. OLVER. Mr. Speaker, I rise today to honor the distinguished public service career of Mr. Joseph R. Lefebvre, Jr.

Joseph Lefebvre is currently a member of the board of selectmen of Adams, MA, one of my Berkshire County towns. He has served with distinction on the board since 1985.

Mr. Lefebvre has been contributing to Adams in numerous roles his entire adult life. In addition to being a town meeting member and holding the position of custodian of the Adams Library for over two decades each, Joseph Lefebvre has served as a member of the Housing Authority, Cemetery Commission, Board of Appeals, and even as a Constable—all during the 1970's and 1980's. His commitment to public service undoubtedly touched the lives of nearly every citizen in his community.

Mr. Speaker, on August 24, 1997, the town of Adams honored Joseph with an appreciation banquet. I have represented Berkshire County since 1991, and I want to add my name to the long list of citizens and officials who have paused to say, thank you, to Joseph Lefebvre for everything he has done over the years.

U.S. DEPARTMENT OF AGRICULTURE MUST HAVE AUTHORITY TO RECALL TAINTED FOOD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1997

Mr. LANTOS. Mr. Speaker, the recent recall of 25 million pounds of beef has caused deep concern in the minds of many Americans about the safety of the Nation's food supply. The largest recall of meat in U.S. history has awakened new fears in consumers who are increasingly skeptical about food safety.

America's food supply is the safest in the world. But it is not safe enough.

Mr. Speaker, in January 1998, new meat safety rules will go into effect which will replace the old sniff and poke method used by meat inspectors. The new system will require closer scrutiny by the meat processors and USDA inspectors and will require the use of new high-technology machinery by meat processors which will test meat for bacterial contamination.

Mr. Speaker, meat processors should not wait until they are legally bound to comply with these new regulations. Americans have come to expect the cleanest, safest food on the planet. Intense effort must be made to make the clean, safe food supply even cleaner and safer. Rigorous scientific checks at key points in the processing of meat must be implemented immediately to restore the public's confidence in our Nation's food supply.

Mr. Speaker, as you know, under current law the U.S. Department of Agriculture cannot compel a recall of tainted food. It can only ask producers to recall products voluntarily or it can withhold its inspection seal and the meat cannot be sold in the United States. But what about meat that has already reached the consumer?

Secretary of Agriculture Dan Glickman recently announced that he will ask Congress for the authority to recall tainted food. I strongly support this recommendation and I urge all my colleagues to work swiftly to enact this legislation. The time has come to restore public confidence in our Government's ability to ensure a safe food supply. We must give the Federal Government the power to compel a recall of tainted or potentially tainted food.

Mr. Speaker, I would like to place in the Record a recent editorial which appeared in

the San Francisco Chronicle entitled "Big Hamburger Recall and USDA Inspections" for the benefit of my colleagues.

[From the San Francisco Chronicle, Aug. 27, 1997]

BIG HAMBURGER RECALL AND USDA INSPECTIONS

The nationwide recall of 25 million pounds of contaminated ground beef at the peak of the summer barbecue season was a timely reminder of the imperfect and outdated methods currently used to inspect the nation's meat supplies.

And it was a warning to backyard chefs that the best protection against dangerous bacteria in their burgers is to cook the red out. A rule-of-thumb is that meat should be cooked well-done at a temperature of at least 160 degrees to kill pathogens like the potentially deadly *E. coli* 0157:H7.

So far there have been no reports the tainted meat reached California, according to the State Health Department, but a spokesman urges consumers to be alert for suspect Hudson Foods Inc. Frozen hamburger patties with "Establishment No. 13569" printed inside the USDA inspection seal.

The tainted ground beef was traced to a meat-processing plant in Nebraska, which supplied hamburger patties to Burger King, Safeway, Wal-Mart and Sam's Club. They have removed the meat from their shelves. Secretary of Agriculture Dan Glickman acted with alacrity in recognizing the crisis and asking for the largest meat recall in U.S. history when 16 people in Colorado were stricken after eating hamburgers.

A significant weakness in the USDA's enforcement powers is that the department does not have the authority to recall tainted meat, but must depend on voluntary compliance by meat-processing companies. "I think that most folks would be shocked to know that industry—and not federal food safety experts—ultimately make the decision as to whether or not food is recalled when the public's safety is compromised," said Glickman. He will ask Congress to grant him the authority to recall, which makes sense. The Hudson hamburger scare also underlined the need for new inspection regulations scheduled to be phased in over the next four years, beginning in January. The stricter new rules will require closer monitoring by federal inspectors at critical points in meat processing.

New regulations will replace the unreliable "sniff-and-poke" inspection techniques currently practiced by USDA sleuths who have only a few seconds to spot spoiled poultry and animal carcasses as the move along an assembly line.

The time for updating USDA inspection techniques is long overdue.

HONORING THE 25TH ANNIVERSARY OF GREENCROFT

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1997

Mr. ROEMER. Mr. Speaker, in the twilight of our lives, we look forward to and hope for the company of our families, our friends, and our God. This is a fair expectation, but people sometimes need help in realizing it, especially those of us who require more care than we can provide for ourselves as we get older.

The Greencroft complex in Goshen, IN provides a network of services for older adults. In so doing, they ensure that retired Hoosiers live

among those who are family and who treat them like family, among friends and in a place to make new ones, and with a Christian emphasis that reminds them that, above all, they are in God's care.

From its earliest beginnings, dating back to November, 1962, Greencroft has grown and expanded to meet the simplest and most dire needs of our older citizens. Providing housing, nursing care, and day-to-day assistance is the basic function of Greencroft. But they do so much more, focused on those quality of life issues that mean the difference between existing and living. Its ties to the Mennonite Church also mean that Greencroft functions as a constant ministry to its residents.

Greencroft is an entire community unto itself, yet by its very interactive nature is a full member of the larger Goshen community. At this time, Greencroft is home to some 850 persons living in independent, congregate, or assisted housing situations, with a full range of health care and other services.

Its Christian character and continuous effort to renew and upgrade its services mean the highest level of staff quality and senior services, a style of living for older citizens that has been emulated far and wide.

Mr. Speaker, it is with great pride that I stand to recognize the 25th anniversary of Greencroft, and note that September 2, 1997 is the date of the anniversary celebration. I want to particularly note the contributions of Gene Yoder, president of Greencroft, and the very fine Greencroft staff. Gene is a recognized national leader in the housing field, and he presides over one of the finest facilities of its kind. The people of Greencroft, residents and staff, can all be very proud of this occasion.

THE DRAGONFLY PROGRAM

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1997

Mr. HAYWORTH. Mr. Speaker, I want to thank Chairman YOUNG for the opportunity to engage in a colloquy earlier today about the Dragonfly program.

Dragonfly, also called the Canard Rotor/Wing technology program or CRW is a revolutionary concept helicopter aviation. It uses a stopped rotor, high-speed vertical take off and landing or VTOL platform that has the performance characteristics of a helicopter take-off and fixed-wing aircraft flight.

Dragonfly has seen a tremendous base of support develop in the U.S. Marine Corps, and Navy. By the end of this fiscal year, McDonnell Douglas will have an R&D investment of about \$9 million and Navy investment of \$1 million. It can fill critical, future joint requirements for VTOL operations from all air capable ships, Navy and Marine Corps requirements for a joint replacement aircraft, as well as serve as a continuation of the Cobra and Huey helicopter programs.

Dragonfly will demonstrate the revolutionary flight potential of the high speed CRW concept using an autonomous unmanned air vehicle. The CRW concept uses a rotating wing for VTOL operations, and stops the rotor wing for high speed, fixed wing flight. The planned demonstration program will test and validate

the new technology, characteristics and capabilities.

The Dragonfly concept represents a new performance capability for small deck ships in both manned and unmanned applications. The manned CRW concept can be applied to a number of joint missions: attack, armed reconnaissance, escort, close air support, combat search and rescue, and utility/transport. Since the Dragonfly is compact in size and needs no launch or recovery system, a CRW unmanned aerial vehicle or UAV can deliver battle damage assessments and beyond the horizon survivable armed reconnaissance, surveillance and target acquisition capability to every surface combatant in the fleet. In addition, a CRW UAV would have over triple the speed and altitude capability of current tactical UAVs and a flight envelope that significantly exceeds other UAV systems currently in production or in the planning stages.

Dragonfly promises to be a strong candidate for providing hovering and high-speed capability in an attack platform needed for a variety of future Marine Corps missions such as V-22 tilt-rotor escort, ground attack, and combat search and rescue. The program's near term transition sponsor office is the Program Executive Office for Cruise Vehicles and Unmanned Vehicles. This office has committed to take the proven CRW technology to its next state of development following a successful demonstration of the Dragonfly capabilities.

I commend the innovative engineering and design teams at McDonnell Douglas, located in my district in Mesa, AZ, for their work on CRW and Dragonfly. The Department of Defense plans to pursue this technology and include it in its budget for fiscal year 1999. The contractor is also committed to continued shared funding of the program.

Mr. Speaker, funding for the Dragonfly Program in the Fiscal Year 1998 Defense appropriations bill is critical to transition this important technology to the future.

TOBACCO BILL

HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1997

Mr. MOAKLEY. Mr. Speaker, today, I am introducing a bill to prevent tobacco companies from collecting the increase in tobacco excise taxes included in the budget.

When this provision was inserted in the budget very few of my colleagues knew about it. Now it's time to repeal it.

Mr. Speaker, cigarettes are the leading cause of preventable death in the United States.

And, like many other Americans, I watched as the tobacco companies reached an agreement with the attorneys general to try to deal with this enormous public health problem by requiring the tobacco companies to fund antismoking initiatives.

But somehow, someone slipped something into the budget bill that lets the tobacco companies off the hook and forces American citizens to finance the antismoking initiatives instead.

Mr. Speaker, I urge my colleagues to join me in cosponsoring this bill—the tobacco companies should live up to their agreements instead of passing them off onto the American people.